

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73444 of 2018

Arising Out of PS. Case No.-1175 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

=====

Dhiraj Kumar Soni, Son of Uma Shankar Prasad Soni, resident of village-
Narkatiaganj Shanti Nagar Purani Bazar Ward No. 1, Police Station-
Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Devi, Wife of Dhiraj Kumar Soni, daughter of Late Krishna Prasad Soni, resident of Village - Narkatiaganj Shanti Nagar Purani Bazar Ward No. 1, Police station- Shikarpur, District- West Champaran at present residing at Village- Durga Nagar Ward No. 7, Ramnagar, Police Station- Ramnagar, District- West Champaran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Sri Umesh Lal Verma

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 25-06-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 1175 of 2016, registered under
Section 498(A) of the Indian Penal Code and Sections 3/4 of the
Dowry Prohibition Act.

The accusation is of torturing the complainant-
opposite party no. 2 by her husband and in-laws due to non-
fulfillment of demand of dowry and removing along with baby
from her matrimonial house.



Learned counsel for the petitioner submits that on the joint prayer of learned counsel for the petitioner and the learned counsel for the complainant-opposite party no. 2, the matter was referred to the Patna High Court Mediation Centre, Patna, where both parties appeared but due to misunderstanding, the matter could not be settled in between both parties. It is further submitted that petitioner has also filed an application under Section 9 of the Hindu Marriage Act for restitution of conjugal right on 13.05.2016 prior to filing the aforesaid complaint case. Moreover, petitioner is ready to take his wife-opposite party no. 2 with full dignity and honour.

On the other hand, learned counsel for the complainant-opposite party no. 2 submits that petitioner performed his re-marriage due to that reason, the dispute could not be settled before the Mediation Centre.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran, in connection



with S.C. No. 1198 of 2017 arising out of Complaint Case No.
1175 of 2016, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

